

AMENDED IN ASSEMBLY MARCH 25, 2003  
AMENDED IN ASSEMBLY JANUARY 23, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

**No. 32**

**Introduced by Assembly Member Salinas**  
***(Coauthor: Assembly Member Matthews)***

December 2, 2002

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An act to add and repeal Section 50517.15 of the Health and Safety Code, relating to housing.

### LEGISLATIVE COUNSEL'S DIGEST

AB 32, as amended, Salinas. Housing: farmworker housing.

The Joe Serna, Jr. Farmworker Housing Grant Program requires the Department of Housing and Community Development to make grants or loans, or both, to local public entities, nonprofit corporations, and limited partnerships for the construction or rehabilitation of housing for agricultural employees and their families. The department has specified duties relating to the operation of this program.

This bill would, until January 1, 2008, authorize a local public agency, nonprofit corporation, or limited partnership that constructs or rehabilitates farmworker housing for agricultural employees with public funds to enter into a lease agreement with an agricultural employer, as defined, for farmworker housing for a term of more than one year if the agricultural employer agrees to lease the farmworker housing to agricultural employees on the same terms and conditions, including amount of rent, that would otherwise be included in a rental

agreement between the *local public agency*, nonprofit corporation, or *limited partnership* and the agricultural employees for that housing.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 50517.15 is added to the Health and  
2 Safety Code, to read:

3 50517.15. (a) It is the intent of the Legislature to authorize  
4 local public agencies—~~and nonprofit corporations~~, *nonprofit*  
5 *corporations*, and *limited partnerships* that rent or lease  
6 farmworker housing to enter into long-term leases with  
7 agricultural employers for farmworker housing in order to  
8 improve the ability of ~~nonprofit corporations~~ *local public*  
9 *agencies, nonprofit corporations, and limited partnerships* to  
10 obtain financing for that housing.

11 (b) A local public agency, nonprofit corporation, or a limited  
12 partnership, as defined in paragraph (1) of subdivision (g) of  
13 Section 50517.5, that constructs or rehabilitates farmworker  
14 housing for agricultural employees, as defined in paragraph (1) of  
15 subdivision (g) of Section 50517.5, with public funds may enter  
16 into a lease agreement with an agricultural employer, as defined in  
17 subdivision (b) of Section 1140.4 of the Labor Code, for  
18 farmworker housing for a term of more than one year if the  
19 agricultural employer agrees to lease the farmworker housing to  
20 agricultural employees of the employer on the same terms and  
21 conditions, including amount of rent, that would otherwise be  
22 specified in a rental agreement between the local public agency,  
23 nonprofit corporation, or limited partnership and the agricultural  
24 employees for that housing and the following conditions are met:

25 (1) The total rent revenue received by the agricultural  
26 employer from the agricultural employees does not exceed the  
27 amount that the agricultural employer is required to pay the  
28 ~~nonprofit corporation~~ *local public agency, nonprofit corporation,*  
29 or limited partnership for the lease.

30 (2) The agricultural employer does not charge or collect a  
31 security deposit from an agricultural employee for the housing  
32 leased pursuant to this section.

1 (3) The agricultural employee has the same rights and  
2 responsibilities provided by law to a residential tenant.

3 (c) An agricultural employer who enters into a lease agreement  
4 with a local public agency, nonprofit corporation, or limited  
5 partnership for farmworker housing pursuant to subdivision ~~(a)~~ (b)  
6 may enter into a sublease agreement with another agricultural  
7 employer for this housing for a term of ~~one year or less if the~~  
8 ~~agricultural employer who subleases the housing~~ *one year or less*  
9 *if the sublessee* agrees to lease the farmworker housing to  
10 agricultural employees of ~~the employer~~ *this sublessee* on the same  
11 terms and conditions that would otherwise be specified in a rental  
12 agreement between ~~an agricultural employer described in~~  
13 ~~subdivision (a) and the~~ *the lessor described in subdivision (b) and*  
14 *the* agricultural employees for that housing.

15 (d) This section shall remain in effect only until January 1,  
16 2008, and as of that date is repealed, unless a later enacted statute,  
17 that is enacted before January 1, 2008, deletes or extends that date.

